

SECOND REGULAR SESSION

HOUSE BILL NO. 2503

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE JOHNSON.

6373H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 571.104, RSMo, and to enact in lieu thereof one new section relating to renewals of concealed carry permits.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 571.104, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 571.104, to read as follows:

571.104. 1. A concealed carry endorsement issued prior to August 28, 2013, shall be suspended or revoked if the concealed carry endorsement holder becomes ineligible for such endorsement under the criteria established in subdivisions (3), (4), (5), (8), and (11) of subsection 2 of section 571.101 or upon the issuance of a valid full order of protection. The following procedures shall be followed:

(1) When a valid full order of protection, or any arrest warrant, discharge, or commitment for the reasons listed in subdivision (3), (4), (5), (8), or (11) of subsection 2 of section 571.101, is issued against a person holding a concealed carry endorsement issued prior to August 28, 2013, upon notification of said order, warrant, discharge or commitment or upon an order of a court of competent jurisdiction in a criminal proceeding, a commitment proceeding or a full order of protection proceeding ruling that a person holding a concealed carry endorsement presents a risk of harm to themselves or others, then upon notification of such order, the holder of the concealed carry endorsement shall surrender the driver's license or nondriver's license containing the concealed carry endorsement to the court, officer, or other official serving the order, warrant, discharge, or commitment. The official to whom the driver's license or nondriver's license containing the concealed carry endorsement is surrendered shall issue a receipt to the licensee for the license upon a form, approved by the director of revenue,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 that serves as a driver's license or a nondriver's license and clearly states the concealed carry
19 endorsement has been suspended. The official shall then transmit the driver's license or a
20 nondriver's license containing the concealed carry endorsement to the circuit court of the county
21 issuing the order, warrant, discharge, or commitment. The concealed carry endorsement issued
22 prior to August 28, 2013, shall be suspended until the order is terminated or until the arrest
23 results in a dismissal of all charges. The official to whom the endorsement is surrendered shall
24 administratively suspend the endorsement in the concealed carry permit system established under
25 subsection 5 of section 650.350 until such time as the order is terminated or until the charges are
26 dismissed. Upon dismissal, the court holding the driver's license or nondriver's license
27 containing the concealed carry endorsement shall return such license to the individual, and the
28 official to whom the endorsement was surrendered shall administratively return the endorsement
29 to good standing within the concealed carry permit system.

30 (2) Any conviction, discharge, or commitment specified in sections 571.101 to 571.121
31 shall result in a revocation. Upon conviction, the court shall forward a notice of conviction or
32 action and the driver's license or nondriver's license with the concealed carry endorsement to the
33 department of revenue. The department of revenue shall notify the sheriff of the county which
34 issued the certificate of qualification for a concealed carry endorsement. The sheriff who issued
35 the certificate of qualification prior to August 28, 2013, shall report the change in status of the
36 endorsement to the concealed carry permit system established under subsection 5 of section
37 650.350. The director of revenue shall immediately remove the endorsement issued prior to
38 August 28, 2013, from the individual's driving record within three days of the receipt of the
39 notice from the court. The director of revenue shall notify the licensee that he or she must apply
40 for a new license pursuant to chapter 302 which does not contain such endorsement. This
41 requirement does not affect the driving privileges of the licensee. The notice issued by the
42 department of revenue shall be mailed to the last known address shown on the individual's
43 driving record. The notice is deemed received three days after mailing.

44 2. A concealed carry permit issued pursuant to sections 571.101 to 571.121 after August
45 28, 2013, shall be suspended or revoked if the concealed carry permit holder becomes ineligible
46 for such permit or endorsement under the criteria established in subdivisions (3), (4), (5), (8), and
47 (11) of subsection 2 of section 571.101 or upon the issuance of a valid full order of protection.
48 The following procedures shall be followed:

49 (1) When a valid full order of protection or any arrest warrant, discharge, or commitment
50 for the reasons listed in subdivision (3), (4), (5), (8), or (11) of subsection 2 of section 571.101
51 is issued against a person holding a concealed carry permit, upon notification of said order,
52 warrant, discharge, or commitment or upon an order of a court of competent jurisdiction in a
53 criminal proceeding, a commitment proceeding, or a full order of protection proceeding ruling

54 that a person holding a concealed carry permit presents a risk of harm to themselves or others,
55 then upon notification of such order, the holder of the concealed carry permit shall surrender the
56 permit to the court, officer, or other official serving the order, warrant, discharge, or
57 commitment. The permit shall be suspended until the order is terminated or until the arrest
58 results in a dismissal of all charges. The official to whom the permit is surrendered shall
59 administratively suspend the permit in the concealed carry permit system until the order is
60 terminated or the charges are dismissed. Upon dismissal, the court holding the permit shall
61 return such permit to the individual and the official to whom the permit was surrendered shall
62 administratively return the permit to good standing within the concealed carry permit system;

63 (2) Any conviction, discharge, or commitment specified in sections 571.101 to 571.121
64 shall result in a revocation. Upon conviction, the court shall forward a notice of conviction or
65 action and the permit to the issuing county sheriff. The sheriff who issued the concealed carry
66 permit shall report the change in status of the concealed carry permit to the concealed carry
67 permit system.

68 3. A concealed carry permit shall be renewed for a qualified applicant upon receipt of
69 the properly completed renewal application and the required renewal fee by [the] a sheriff of
70 [the] any county of [the applicant's residence] this state. **The sheriff's office processing a**
71 **permit renewal shall notify the sheriff of the county of the applicant's residence of the**
72 **issuance of the permit renewal and transfer any documents or information necessary for**
73 **records of the renewal, which shall be maintained by the sheriff of the county of applicant's**
74 **residence. The sheriff of the county of the applicant's residence shall continue to retain all**
75 **information on file. In all cases, a sheriff issuing a permit renewal to a nonresident of the**
76 **county shall follow the same rules and regulations under this chapter as a sheriff renewing**
77 **a permit for a resident of the county.** The renewal application shall contain the same required
78 information as set forth in subsection 3 of section 571.101, except that in lieu of the fingerprint
79 requirement of subsection 5 of section 571.101 and the firearms safety training, the applicant
80 need only display his or her current concealed carry permit. A name-based inquiry of the
81 National Instant Criminal Background Check System shall be completed for each renewal
82 application. The sheriff shall review the results of the report from the National Instant Criminal
83 Background Check System, and when the sheriff has determined the applicant has successfully
84 completed all renewal requirements and is not disqualified under any provision of section
85 571.101, the sheriff shall issue a new concealed carry permit which contains the date such permit
86 was renewed. The process for renewing a concealed carry endorsement issued prior to August
87 28, 2013, shall be the same as the process for renewing a permit, except that in lieu of the
88 fingerprint requirement of subsection 5 of section 571.101 and the firearms safety training, the
89 applicant need only display his or her current driver's license or nondriver's license containing

90 an endorsement. Upon successful completion of all renewal requirements, the sheriff shall issue
91 a new concealed carry permit as provided under this subsection.

92 4. A person who has been issued a concealed carry permit, or a certificate of
93 qualification for a concealed carry endorsement prior to August 28, 2013, who fails to file a
94 renewal application for a concealed carry permit on or before its expiration date must pay an
95 additional late fee of ten dollars per month for each month it is expired for up to six months.
96 After six months, the sheriff who issued the expired concealed carry permit or certificate of
97 qualification shall notify the concealed carry permit system that such permit is expired and
98 cancelled. If the person has a concealed carry endorsement issued prior to August 28, 2013, the
99 sheriff who issued the certificate of qualification for the endorsement shall notify the director of
100 revenue that such certificate is expired regardless of whether the endorsement holder has applied
101 for a concealed carry permit under subsection 3 of this section. The director of revenue shall
102 immediately remove such endorsement from the individual's driving record and notify the
103 individual that his or her driver's license or nondriver's license has expired. The notice shall be
104 conducted in the same manner as described in subsection 1 of this section. Any person who has
105 been issued a concealed carry permit pursuant to sections 571.101 to 571.121, or a concealed
106 carry endorsement issued prior to August 28, 2013, who fails to renew his or her application
107 within the six-month period must reapply for a new concealed carry permit and pay the fee for
108 a new application.

109 5. Any person issued a concealed carry permit pursuant to sections 571.101 to 571.121,
110 or a concealed carry endorsement issued prior to August 28, 2013, shall notify the sheriff of the
111 new jurisdiction of the permit or endorsement holder's change of residence within thirty days
112 after the changing of a permanent residence to a location outside the county of permit issuance.
113 The permit or endorsement holder shall furnish proof to the sheriff in the new jurisdiction that
114 the permit or endorsement holder has changed his or her residence. The sheriff in the new
115 jurisdiction shall notify the sheriff in the old jurisdiction of the permit holder's change of address
116 and the sheriff in the old jurisdiction shall transfer any information on file for the permit holder
117 to the sheriff in the new jurisdiction within thirty days. The sheriff of the new jurisdiction may
118 charge a processing fee of not more than ten dollars for any costs associated with notification of
119 a change in residence. The sheriff shall report the residence change to the concealed carry permit
120 system, take possession and destroy the old permit, and then issue a new permit to the permit
121 holder. The new address shall be accessible by the concealed carry permit system within three
122 days of receipt of the information. If the person has a concealed carry endorsement issued prior
123 to August 28, 2013, the endorsement holder shall also furnish proof to the department of revenue
124 of his or her residence change. In such cases, the change of residence shall be made by the
125 department of revenue onto the individual's driving record.

126 6. Any person issued a concealed carry permit pursuant to sections 571.101 to 571.121,
127 or a concealed carry endorsement issued prior to August 28, 2013, shall notify the sheriff or his
128 or her designee of the permit or endorsement holder's county or city of residence within seven
129 days after actual knowledge of the loss or destruction of his or her permit or driver's license or
130 nondriver's license containing a concealed carry endorsement. The permit or endorsement holder
131 shall furnish a statement to the sheriff that the permit or driver's license or nondriver's license
132 containing the concealed carry endorsement has been lost or destroyed. After notification of the
133 loss or destruction of a permit or driver's license or nondriver's license containing a concealed
134 carry endorsement, the sheriff may charge a processing fee of ten dollars for costs associated
135 with replacing a lost or destroyed permit or driver's license or nondriver's license containing a
136 concealed carry endorsement and shall reissue a new concealed carry permit within three
137 working days of being notified by the concealed carry permit or endorsement holder of its loss
138 or destruction. The new concealed carry permit shall contain the same personal information,
139 including expiration date, as the original concealed carry permit.

140 7. If a person issued a concealed carry permit, or endorsement issued prior to August 28,
141 2013, changes his or her name, the person to whom the permit or endorsement was issued shall
142 obtain a corrected or new concealed carry permit with a change of name from the sheriff who
143 issued the original concealed carry permit or the original certificate of qualification for an
144 endorsement upon the sheriff's verification of the name change. The sheriff may charge a
145 processing fee of not more than ten dollars for any costs associated with obtaining a corrected
146 or new concealed carry permit. The permit or endorsement holder shall furnish proof of the
147 name change to the sheriff within thirty days of changing his or her name and display his or her
148 concealed carry permit or current driver's license or nondriver's license containing a concealed
149 carry endorsement. The sheriff shall report the name change to the concealed carry permit
150 system, and the new name shall be accessible by the concealed carry permit system within three
151 days of receipt of the information.

152 8. The person with a concealed carry permit, or endorsement issued prior to August 28,
153 2013, shall notify the sheriff of a name or address change within thirty days of the change. A
154 concealed carry permit and, if applicable, endorsement shall be automatically invalid after one
155 hundred eighty days if the permit or endorsement holder has changed his or her name or changed
156 his or her residence and not notified the sheriff as required in subsections 5 and 7 of this section.
157 The sheriff shall assess a late penalty of ten dollars per month for each month, up to six months
158 and not to exceed sixty dollars, for the failure to notify the sheriff of the change of name or
159 address within thirty days.

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